

PRG



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/645,479	08/24/2000	Udi Manber	17887-003500US	4318
20350	7590	07/26/2004	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			BASEHOAR, ADAM L	
			ART UNIT	PAPER NUMBER
			2178	

DATE MAILED: 07/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/645,479

**Applicant(s)**

MANBER ET AL.

**Examiner**

Adam L Basehoar

**Art Unit**

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 April 2004.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-28 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 08/24/00 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This action is responsive to communications: The Amendment filed on 04/22/04 to the Application filed on 08/24/00.
2. The objection to the specification has been withdrawn as necessitated by the Amendment.
3. Claims 26-28 have been added as necessitated by the Amendment.
4. Claims 1-28 are pending in the case. Claims 1, 12, 21-22, and 26 are independent claims.

### *Claim Rejections - 35 USC § 102*

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 1-6, 8-10, 12-19, and 21-23 remain and claims 26-28 are rejected under 35 U.S.C. 102(a) as being anticipated by Freivald et al (5,983,268 11/09/99).

**-In regard to independent claims 1, 12, 21-22, and 26,** Freivald et al teach selecting a web page (Fig. 6: 84) wherein the web page includes a plurality of HTML tags (tokens)(column 3, lines 32-33), selecting a first area of interest from the web page (column 6, lines 62-64)(Fig. 6: 86) and parsing the page to determine a first string of symbols associated with the tags (Fig. 6: 88)(columns 6 & 10, lines 21-24 & 30-55)

Art Unit: 2178

wherein the selected area of interest is identified by the string of symbols (numeric string)(columns 6 and 7, lines 62-67 & 1-11). Freivald et al also teach being able to retrieve a second web page associated with a different URL (Fig. 6: 92)(columns 8 & 9, lines 62-67 & 1-19), and like the first web page, parsing the web page to determine a second string of symbols associated with tags that are a second area of interest (Abstract & column 8, lines 62-67) and comparing (performing calculations) on the first and second strings (varied data)(column 9, lines 3-4) to determine if they are similar or substantially matching (= or equal to)(column 9, lines 48-59).

**-In regard to dependent claims 2, 5, 17, and 19,** Freivald et al teach wherein the user can define formulas in the spreadsheet to perform calculations on data from different web pages (columns 8-9, lines 62-67 & 1-4). Freivald et al further teach where the formulas (algorithms) applied to the first and second numeric strings can be standard arithmetic operators (e.g. "=", "less than or equal to", "true/false", etc.) (equivalent to pattern matching or regular expression formulas)(column 9, lines 48-59).

**-In regard to dependent claims 3 and 16,** Freivald et al teach storing the first and second areas of interest in a database (Fig. 6: 96 & 104).

**-In regard to dependent claims 4, 15, and 23,** Freivald et al teach extracting the second area of interest from another web page (Fig. 6: 92) or multiple areas of interest from multiple web pages (Abstract, lines 22-25).

**-In regard to dependent claims 6 and 18**, Freivald et al teach wherein the first and second areas of interest could include more than one numeric field (distinct sub-areas) from a web page or multiple web pages (Abstract).

**-In regard to dependent claims 8 and 13**, Freivald et al teach wherein the step of identifying a first area of interest is performed using a manual pointing and selecting device (column 6, lines 54-58).

**-In regard to dependent claim 9**, Freivald et al teach wherein after the user identifies and selects the areas of interests from two separate web pages and the formulas used for comparison, the remaining steps of parsing and extracting the areas of interest and comparing the two areas of interest are done automatically (Abstract: lines 13-20).

**-In regard to dependent claims 10 and 14**, Freivald et al teach wherein the second web page is retrieved from a remote web site over the Internet (Abstract)(Fig. 1: 10).

**-In regard to dependent claim 27**, Freivald et al further teach extracting the second area of interest from a second page (columns 8 & 9, lines 62-67 & 1-19).

**-In regard to dependent claim 28**, Freivald et al further teach wherein the identifying was performed manually using a user input device (column 6, lines 55-60).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 7, 11, 20, and 24-25 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Freivald et al (5,983,268 11/09/99) in view of Ohashi (6,408,297 06/18/02).

**-In regard to dependent claim 7**, Freivald et al teach wherein the web page contains HTML tags (column 3, line 33) and wherein the area of interest is a numeric field (string). Freivald et al further teaches wherein most HTML documents have a structure which can be exploited to locate numeric data on a page (column 6, lines 10-11). Freivald et al do not teach wherein structure to identifying the area of interest includes identifying portions of the HTML tags of the page. Ohashi teaches wherein data in numeric fields on HTML pages are stored using tags (Fig. 3A & 3B)(column 7, lines 35-36). It would have been obvious to one of ordinary skill in the art at the time of the invention, for the structures used to find the numeric strings in Freivald et al to have been HTML tags, because Ohashi taught that on structured HTML pages using tags was an easy way to find numeric data (strings).

**-In regard to dependent claims 11, 20, and 25,** Freivald et al do not teach wherein the HTML tags (tokens) include attributes (elements) and attribute values (text elements). Ohashi teaches that it was well known in the art at the time of the invention for HTML tags (tokens) to have attributes (column 8, line 22) and attribute values (Fig. 12: FONT size = 2). It would have been obvious to one of ordinary skill in the art at the time of the invention, for the HTML tags indicating formatting, layout, etc in Freivald et al to have had attributes and attribute values, because HTML attributes and attribute values were very well known in the art of web documents to add increased functionality to HTML tags as was shown in Ohashi et al.

**-In regard to dependent claim 24,** Freivald et al and Ohashi teach wherein the markup languages are HTML, XML, or SGML (column 6, lines 1-4). Freivald et al and Ohashi do not teach wherein the markup languages could be WML, DHTML, or HDML. It would have been obvious to one of ordinary skill in the art at the time of the invention to have, to have applied the content extracting method of Freivald et al and Ohashi et al to the WML, DHTML, and HDML markup languages, because all three markup languages were well known at the time of the invention and each markup language would allow the content extracting method to access more media (e.g. WML-wireless devices, HDML-hand held devices and DHTML).

***Response to Arguments***

9. Applicant's arguments filed 04/22/04 have been fully considered but they are not persuasive.

-In regard to the substantially similar independent claims 1, 12, 21-22, and 26, Applicant argues that Freivald fails to teach the limitation of parsing a model page to generate a first of symbols associated with a plurality of HTML tags. Freivald clearly teach parsing a model page (columns 6 & 9, lines 61-67 & 1-11) and generating a marker and numeric string (each a sting of symbols) associated with the HTML tags (column 6, lines 7-25). The generated marker string and numeric string are both associated with the HTML tags and are used in the comparison for similarity.

The Applicant also argues that Freivald fails to teach the limitation of retrieving a second web page associated with a different URL and comparing the first and second strings to determine whether the second string was similar to the first string. The examiner respectfully disagrees with the Applicant in regards to Freivald failing to teach these two limitations. The examiner notes that Freivald clearly shows retrieving a second web page associated with a different URL (Fig. 6: 82 & 92) and comparing extracted stings from the two different web pages (columns 8 & 9, lines 62-67 & 1-19). With regard to the Applicant's claim that Freivald do not teach comparing the different strings to determine if they were similar, the examiner again respectfully disagrees with the Applicant. As shown above in the rejections, column 9, lines 48-59 of Freivald clearly show wherein any parameters from the different web pages can be compared using user set formulas. Being that the term "similar" or "substantially matching" are broad limitations, the Examiner feels comparisons based on equality, greater than, less than or



Art Unit: 2178

equal to, etc. all fall within the scope of the independent claims. A basic example of which was provided by Freivald in column 10, lines 6-67.


### ***Conclusion***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam L Basehoar whose telephone number is (703) 305-7212. The examiner can normally be reached on M-F: 7:30am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ALB

  
STEPHEN S. HONG  
PRIMARY EXAMINER